



GAIL FARBER, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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April 24, 2012

# ADOPTED

IN REPLY PLEASE  
REFER TO FILE: C-1

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

19 April 24, 2012

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Dear Supervisors:

**AWARD OF A PUBLIC WORKS CONSTRUCTION CONTRACT  
SAN GABRIEL RIVER BICYCLE TRAIL IMPROVEMENT –  
PHASE 3, FROM 355 FEET SOUTH OF DEL AMO BOULEVARD  
TO 100 FEET SOUTH OF CARSON STREET  
IN THE CITY OF LAKEWOOD  
(SUPERVISORIAL DISTRICT 4)  
(3 VOTES)**

### SUBJECT

This action is to award a public works construction contract for San Gabriel River Bicycle Trail Improvement – Phase 3, from 355 feet south of Del Amo Boulevard to 100 feet south of Carson Street, Capital Project No. 87082, and authorize the Director of Public Works or her designee to execute a contract for work in the City of Lakewood.

### **IT IS RECOMMENDED THAT YOUR BOARD:**

Award and authorize the Director of Public Works or her designee to prepare the construction contract in the form previously approved by County Counsel, execute the contract, and establish the effective date following receipt of approved Faithful Performance and Labor and Material Bonds and insurance filed by the contractor for Project ID No. RDC0015064 – San Gabriel River Bicycle Trail Improvement – Phase 3, from 355 feet south of Del Amo Boulevard to 100 feet south of Carson Street, Capital Project No. 87082, to reconstruct bicycle trail pavement; construct concrete curb and gutter, sidewalk, driveways, and a concrete slough wall and headwall; and install striping and pavement markings; in the City of Lakewood, to Garcia-Juarez Construction, Inc., in the amount of \$432,750.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to obtain approval from your Board to award this construction contract and authorize the Director of Public Works (Director) or her designee to execute the contract and establish the effective contract date following receipt of approved Faithful Performance and Labor and Material Bonds and insurance filed by the contractor for this project.

On November 29, 2011, Agenda Item 46, your Board approved the project, adopted the plans and specifications, called for bids to be received on January 5, 2012, and instructed the Executive Officer of the Board of Supervisors to advertise the project.

The enclosure includes the project description, the call for bids and bid opening dates, a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposal are also enclosed for this project.

The recommended construction contract is necessary to execute a Board-directed and approved Department of Public Works (Public Works) project in support of operational missions. Your Board's approval of the recommended contract award and the subsequent execution of the contract will ensure the timely completion of the project.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). Awarding this contract will provide improved infrastructure to better serve the public and enhance the quality of life in the affected community.

### **FISCAL IMPACT/FINANCING**

This action will have no impact to the County General Fund.

Funding for the project consists of \$1,071,000 of Fourth District Capital Improvement net County cost and \$9,000 from Article 3 Bikeway Fund.

The enclosure includes the amount of the recommended contract as compared with the engineer's estimate, the other bids received, and more detailed fiscal and financial information.

## **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel. The recommended contract was solicited on an open-competitive basis and is in accordance with applicable Federal, State, and County requirements. The contractor is in compliance with the Chief Executive Officer's and your Board's requirements.

The award of this contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. This contract contains terms and conditions supporting your Board's ordinances, policies, and programs including, but not limited to: the County of Los Angeles' (County) Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; Local Business Enterprise Preference Program, Los Angeles County Code, Chapter 2.204; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by each respective contractor was considered before making this recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

### **ENVIRONMENTAL DOCUMENTATION**

On November 29, 2011, Agenda Item 46, your Board found this project to be categorically exempt from the provisions of the California Environmental Quality Act.

### **CONTRACTING PROCESS**

The contract was solicited on an open-competitive basis in accordance with the provisions of the State Public Contract Code.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on public works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

To further increase contractor awareness of contracting opportunities with Public Works, this project was listed on the County website for upcoming bids. Public Works will review and approve the Faithful Performance and payment bonds filed by the contractor.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This construction contract will result in improved public works infrastructure in the community where the work is scheduled.

The Honorable Board of Supervisors  
April 24, 2012  
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**CONCLUSION**

Please return one adopted copy of this letter to the Department of Public Works,  
Construction Division.

Respectfully submitted,



GAIL FARBER  
Director of Public Works

GF:JTS:lg

Enclosure

c: Chief Executive Office (Rita Robinson)  
County Counsel  
Executive Office  
Internal Services Department (Countywide Contract Compliance)

AWARD OF CONTRACT  
April 24, 2012

PROJECT ID NO. RDC0015064 - San Gabriel River Bicycle Trail Improvement – Phase 3, from 355 feet south of Del Amo Boulevard to 100 feet south of Carson Street, (in the City of Lakewood), Supervisorial District 4

TYPE OF WORK: Reconstruction of bicycle trail pavement; construction of concrete curb and gutter, sidewalk, driveways, and a concrete slough wall and headwall; installation of striping and pavement markings; and the performance of other appurtenant work.

CALL FOR BIDS DATE: November 29, 2011 (Agenda Item 46)

BID OPENING DATE: January 5, 2012

BID SUMMARY:

Low	+Garcia-Juarez Construction, Inc. P.O. Box 309 Brea, California 92822 (951) 657-3535	\$432,750.00
2	Excel Paving Company	\$431,843.45
3	Los Angeles Engineering, Inc.	\$443,035.50
4	Pointer Enterprises, Inc.	\$474,154.50
5	Minco Construction	\$475,550.00
6	O'Donnell Construction, Inc.	\$476,911.00
7	EBS General Engineering, Inc.	\$481,952.00
8	Interlog Hym Engineering	\$484,258.00
9	All American Asphalt	\$484,750.00
10	Terra Pave, Inc.	\$520,005.00
11	Peterson-Chase General Engineering Construction	\$521,947.60
12	+Kormx, Inc.	\$522,234.00
13	KASA Construction	\$533,702.00
14	Sully-Miller Contracting Company	\$534,315.00
15	Spiess Construction Company, Inc.	\$537,424.05
16	Shawnan	\$538,292.00
17	Bitech Construction Company	\$546,806.00
18	Nye & Nelson, Inc.	\$673,997.93

+LSBE

The lowest responsible and responsive bid was from Excel Paving. The second lowest bidder, Garcia-Juarez Construction, Inc., is certified Local Small Business Enterprise, and its bid was within the 5 percent or \$50,000 preference; therefore, we recommend award of the contract to Garcia-Juarez Construction, Inc.

Bid proposals from B-One Construction Company, Inc., for \$480,791 was found to be nonresponsive as the required bid bond was not made out to the County of Los Angeles. Also, a bid proposal from MG Enterprises for \$548,038.50 was found to be nonresponsive as it shows that over 50 percent of the work was to be performed by subcontractors. Per Section 2-3.2 of the 2009 Edition of the Standard Specifications for Public Works Construction, at least 50 percent of the contract must be performed by the contractor's own forces.

**FINANCIAL INFORMATION:**

Amount of estimate	\$555,020.00
Amount of recommended contract	\$432,750.00
Amount of recommended contract below estimate	\$122,270.00

The amount of the recommended contract is 22 percent below the estimate.

Current funding identified for the Project ID No. RDC0015064 consists of \$1,071,000 of Fourth District Capital Improvement net County cost and \$9,000 from the Article 3 Bikeway Fund. The Fiscal Year 2011-12 Capital Projects/Refurbishments Budget has sufficient appropriation to fund the project costs.

**MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:**

Garcia-Juarez Construction, Inc., has no MWBE subcontractors under this contract.

**ENVIRONMENTAL IMPACT:**

On April 20, 2010, Agenda Item 39, your Board found Phases 3 and 4 of the project categorically exempt from the provisions of the California Environmental Quality Act.

**CONSTRUCTION SCHEDULE:**

The contract specifications require the work to be completed in 65 working days. It is estimated the work will start in May 2012 and be completed in August 2012.

JRP:lg